



MEMORANDUM

TO: Katherine Frank, Provost/VP Academic & Student Life
FROM: Gail Farmer, Manager, Equal Opportunity
DATE: October 16, 2017
RE: CWU / Carroll Carroll, Brian / *CWU* CONFIDENTIAL

Investigative Report

Summary of Investigative Findings

I have investigated concerns expressed by two senior faculty members regarding possible sexual misconduct by Brian Carroll, Professor, History Department, and Director, American Indian Studies Program (AIS). Dr. Carroll is on sabbatical for fall quarter 2017.

Roxanne Easley, Chair, History Department, reported Dr. Carroll admitted to her that he had engaged in sexual relationships with two students during the last two years. One student, who has since graduated, was his student [redacted] from the [redacted] while he was having a sexual relationship with her. Another is a current [redacted] student who took an undergraduate history class with him.

Patrick McCutcheon, Interim Director, AIS, reported two separate colleagues (Hope Amason and Lourdes Henebry-DeLeon) reported to him they were concerned about statements made by [redacted], Brian Carroll's wife. They report that [redacted] told them Brian Carroll had sexual relationships with at least two students. Amason and Henebry-DeLeon were concerned about the impact of these behaviors on students and [redacted], who also teaches in AIS as an adjunct instructor. Amason was also concerned about the potential negative impact on the Culture & Environmental Resource Management Program (CERM) due to the profile Brian Carroll has with outside agencies.

CWU Equal Opportunity Policy (CWUP 2-35-015) expresses the institution's commitment to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect in an environment free of sexual misconduct and discrimination.
<http://www.cwu.edu/resources-reports/cwup-2-35-equal-opportunity-policies-and-programs#2-35-015>

CWU's Conflict of Interest in Relationships policy (CWUP 2-40-070) communicates the institution's commitment to the integrity of professional relationships among employees and students. <http://www.cwu.edu/resources-reports/cwup-2-40-070-conflict-interest-relationships>

Human Resources

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student during a time she was not enrolled as a CWU student. She is currently a [redacted] / Student 2

Until his sabbatical this quarter, Carroll was also the Director of AIS, an interdisciplinary program managed through the College of the Sciences. [redacted] taught in AIS, had additional teaching contracts in English and Anthropology, and is faculty coordinator for the McNair Scholar's program.

Pat McCutcheon recounted that on or about September 19, 2017 he heard from two faculty in his department that Carroll recently had an affair with a [redacted] student in CERM. He recalled that Carroll had previously told him he was having difficulty in his marriage but he had not divulged any details. Lourdes Henebry-DeLeon told McCutcheon that [redacted] revealed that Brian Carroll had confessed to having had a long-term affair with a student and she was having difficulty dealing with the emotional aftermath.

In my interview with Henebry-DeLeon, she stated she was concerned about thinking she is in a precarious position. She believes that to some extent [redacted] "works for" Brian Carroll, as he is the Director of AIS where she co-taught classes with him. She was concerned if Carroll came back from sabbatical early he could regain the directorship of AIS. Because [redacted] is an adjunct Henebry-DeLeon believes that she would have no protection from any hiring or allocation of classes that Brian Carroll might make.

Henebry-DeLeon reported that [redacted] had discovered her husband had an affair with Student 1 and she knew who the student was. [redacted] also suspected that he had an affair with Student 2 and she also knew that student's identity. All of the information provided by Henebry-DeLeon was second hand by way of [redacted].

Hope Amason reported to McCutcheon that she had recently learned that Brian Carroll had an affair with a [redacted] student in their program (CERM) and she was concerned about the potential impact on the integrity of the department and the welfare of female students with whom Carroll was known to travel. She specifically mentioned the work CERM does with the Thorp Mill Town Historical Preservation Society. Several CWU faculty members, including Brian Carroll and Amason, are on the board of directors of the society.

Amason reported that in early September she heard from Student 3 that the AIS program was in turmoil ("It is going to implode") because of an issue with a professor and a student. On September 19, 2017 Amason discovered the issue was that Brian Carroll had an affair with a [redacted] student in CERM. The marital discord, according to the [redacted] student, was likely to transfer to AIS as both Brian Carroll and [redacted] are integral to the functioning of the program. Student 3, considered a confidential source, informed Amason of the identity of Student 2. Amason stated that she reached out to [redacted] and confirmed that Brian Carroll admitted to having an affair with his [redacted] (Student 1). According to Amason, also suspected that Brian Carroll had also been involved with other students.

Although Student 1 graduated from CWU in before summer 2017, their relationship continued until late summer 2017. According to Carroll, Student 1 asked him if there was a possibility she could obtain employment at the Thorp Mill over the summer of 2017. He reports that he advised her to send a letter to the board asking about employment opportunities. Although he is a Vice President on the board, he states that the entire board approves the hiring. He maintains that he did not make a recommendation regarding her suitability and was not involved in any manner with her hiring. In addition, he insisted that his work with the Thorp Mill is separate from his employment at CWU and failed to see the relevance of my questions pertaining to his relationship with a summer employee at the Mill.

Brian Carroll stated that he was not in any way involved in Student 1's hiring at the Thorp Mill. Hope amazon recalls that Brian Carroll forwarded the names of the candidates seeking summer employment. Minutes of the board meeting on April 11 2017 (Attachment 1) indicate that he took on the responsibility of surveying the three individuals who had shown an interest in employment. Student 1 was one of these individuals. Minutes of the board meeting on May 9 2017 (Attachment 2) indicate that Brian Carroll seconded the motion for the pay scale for these employees. Student 1 was one of these employees.

The Memorandum of Understanding between the Thorp Mill Town Historical Preservation Society and Central Washington University (Attachment 3) states in part:

"....To simultaneously pursue the mutual education and community service goals of both CWU and the Thorp Mill Town Historical Preservation Society. This agreement ties in directly with CWU's mission to prepare students for enlightened, responsible, and productive lives...."

Screen shots from Brian Carroll's current Faculty 180 file (Appendix XX) show that under Service he notes that he is the Vice President of the Board of Directors for Thorp Mill Town Historical Preservation Society. A screen shot from his 2015-16 workload plan (Attachment 4), under Service refers to his position on the board and indicates that he is in charge of the grant-writing committee and oversaw four grants that earned the organization \$14,000 for preservation and new programs.

CWU has an official contractual relationship with Thorp Mill Town Historical Preservation Society. In addition, Brian Carroll reports his service with Thorp Mill Town Historical Preservation Society in the records he maintains that provide the basis of his evaluation as a faculty member. His work with Thorp Mill is part of his employment at CWU.

Brian Carroll admitted that he had a three-week sexual relationship with Student 2 during August of 2016. He reported the student graduated in □ and had taken a couple of classes with him as an □. She returned to school as a □ student in Fall Quarter □ but he stated that she did not take any classes from him. Records confirm that this student took a class with him in □ Quarter □. It also reveals that she took a class with him in □ Quarter □ (History □).

1. Faculty and staff should avoid a conflict of interest in relationships. If a conflict occurs, the first possibility for eliminating the conflict of interest is to discontinue the consensual relationship with an inherent power differential. If discontinuing a personal relationship or eliminating the conflict of interest is unachievable, the employee will disclose to his/her supervisor (such as director, chair, director, or dean) the nature of the conflict of interest. Other persons who perceive a conflict of interest may also bring the matter to the attention of the appropriate supervisor.
2. The employee, in consultation and cooperation with the supervisor, will eliminate or manage the power differential in the relationship to prevent or eliminate a conflict of interest. Alternative means for supervision, teaching, advising, or evaluation of the subordinate employee or student is generally required.
3. Failure to comply with these guidelines constitutes unprofessional conduct.

FACULTY CBA ARTICLE 14 states:

- 14.10 The relationship faculty have with students carries the added responsibility to both the student and the University that the relationship remain absent of abuse of power, or the appearance of abuse of power. Unless otherwise authorized in writing by the Dean, faculty shall not grade, supervise, or direct the educational endeavors of students with whom they have or have had a family or intimate relationship. Any relationship a faculty member has with such a student shall be disclosed, in writing, to the Dean. Failure to disclose a relationship will result in appropriate disciplinary action.
- 14.11 No faculty member shall participate directly in any recommendation or decision relating to grant funding, sabbatical appointments, other appointments, reappointment, promotion, or tenure at the University of any relative or person with whom the faculty member has or has had a family or intimate relationship. A faculty member shall withdraw from participation in any personnel recommendation or decision involving potential conflict of interest.

There are three separate areas where there is sufficient evidence to find that Carroll violated the Conflict of Interest policy and procedures:

- (i) Brian Carroll admitted to having a consensual sexual relationship with Student 1 when he was her [] advisor. He did not eliminate the conflict of interest. He did not sever the relationship nor did he cease acting as her []. He travelled to [] with Student 1 while in an official capacity. He did not bring the conflict of interest to the attention of the Dean or his department chair.
- (ii) Brian Carroll admits to having a sexual relationship with a Student 2 while she was not enrolled at CWU. One month after their relationship ended she became a [] student at CWU. He denied she took a class from him after the 2014-2015 academic year. In fact she registered for and earned a grade in History [] that he taught [] Quarter []. This is a conflict of interest Carroll did not report to the Dean or department chair. Article 14.10 of the Faculty CBA requires faculty to report intimate relationships that "they have or have had" with their students.

Thorp Mill Board Meeting, Tuesday April 11, 2017

Attendance: Dan Leavitt, Sheryl Leavitt, Lisa Ely, Brian Carroll, Carla Jellum, Liz Seelye, Hope Amason, Savannah Bommarito, Denise Jarnecke, , Christina Miller, Jared Fudacz

1. Jared proposed holding a chamber of commerce Meet and Greet at the Thorp Mill on Friday, October 6, from 9-10 AM, which is the weekend of the Thorp Community Days. The Thorp Community Association board will be present.
 - a. Brian made a motion that we agree to hold it, Sheryl seconded. Passed unanimously.
2. Financial Report
 - a. Sheryl presented the March financial report. Accepted.
3. Auction Committee Report
 - a. Ticketleap is up and running on the thorps.org website.
 - b. Facebook page created, currently under Harrow and Hive. Trying to get it jointly administered by thorps Mill facebook page. Send information to Pyper if there is something you want to post.
 - i. Hope will put auction info on the Thorp Mill facebook page, including link to purchase tickets.
 - ii. Big push to expand our social media presence
 - c. Denise passed around list of confirmed auction items.
 - d. PLEASE—all board members send your basket donation idea to Denise this week with description and estimated value.
 - e. Poster, event tickets and drawing tickets are all printed
 - f. Tickets will be sold at the Chamber and Cle Elum Bakery
 - g. Lisa will send out all of the Harrow and Hive emails to board members
 - h. The auction committee will tour the Springwood Party Barn at 11 AM this Friday, April 14.
 - i. Next step is program and bid sheets
 - j. We have 51 items confirmed. Last year at this time we had 94. Denise printed out last year's donation sheet with each board member's initials next to things that they are willing to procure. Denise will start working on a larger list compiled from previous years to expand our donation requests.
 - k. Denise will deliver tickets to the Chamber to be sold. Dan will deliver some to the Cle Elum Bakery. Put them in a manila envelope and a phone number for a contact person if they need more or have questions. She will include instruction sheet on how to fill it out. She will also bring drawing tickets and will keep track of the numbers that they have and how many sold.
 - l. Advertising:
 - i. Put it on NWPR events calendar and Daily Record events calendar.
 - ii. Put it on The Burg,
 - iii. Ellensburg Community Radio. Christina will contact Molly Edson about getting an interview with one of the DJs on the ECR. Liz and Brian and Marna volunteered to do the interview.
 - iv. Carla will look into Suncadia
 - v. Paid ads: Daily Record, Northern Kittitas County Tribune, KXLE.
 1. Put Pyper in charge of text for KXLE
 2. Ask for a non-profit rate for Daily Record, ask if they have an ad on file for us.

Thorp Mill Board Meeting, Tuesday May 9, 2017

Attendance: Dan Leavitt, Sheryl Leavitt, Lisa Ely, Carla Jellum, Savannah Bommarito, Denise Jarnecke, Moose Mack, Roger Fischer, Pyper Stever, Marna Carroll, Brian Carroll

1. Financial Report
 - a. Sheryl presented the April financial report. Accepted.
2. Auction Committee Report
 - a. Online tickets—20 sold so far
 - b. Facebook event page---please share it.
 - c. Auction committee toured Springwood Ranch
 - d. Square readers: We 4 phones and readers. Sheryl has an account set up and 5 squares. Dan, Sheryl, Pyper, Roger, Marna and Brian each have an ATT phone that works. We want 3 at the check-out and 1 at the barn. Leave one more at the mill. We'll do a test on Friday afternoon at the Party Barn set-up.
 - e. Set-up will be 11-1 PM on Friday, May 26.
 - f. Dan will get 12 tables and a bunch of chairs from the Thorp School at 10:30.
 - g. Dan will provide PA system.
 - h. Insurance company wants more details about liquor servers—we have several people with MAST liquor training. Others will take online MAST course.
 - i. Savannah will contact Daily Record and Upper County Tribune with Press Release for article about summer programs at the Thorp Mill.
 - j. Pyper will contact Daily Record and Upper County Tribune and KXLE this week about ads—ask them to do same as last year (check various bundled packages)
 - k. Savannah is making 2 sandwich boards, Carla and Denise are doing signage, bid sheets, Pyper is doing program.
 - l. Liquor license is in. Brian is getting beer and wine and soft drinks.
 - m. Board members should bring coolers.
 - n. Donations: We have 101 donations so far.
 - i. Several businesses still to request
 - ii. Board members: List items in basket and send list to Denise
 - o. Denise has put together volunteer manual
 - p. Denise and Dan will pick up tickets that were sold at early bird price from Chamber and Bakery on May 17.
3. Weed control and grounds: Dan contacted someone to apply herbicide to drive to Ice Pond, willow in the fields for ~\$600. Marna made a motion to authorize, Moose seconded. Passed.
4. Buz Ras has resigned from the Mill Board because of his own busy business.
5. Antiques Market is moving along; 11 vendors; a lot of interest from vendors at Junktique in the Burg (Ellensburg). Advertising in antique shops.
6. Grants: Savannah is working on 3 small grants from banks to fund inside displays and summer programs.
7. Roger said that the Early Iron Club is interested in using the Ice Pond area for their annual Threshing Bee now that they can no longer use Olmstead State Park. Too late to organize it for September 2017, but the following year. Mill board will look into the insurance aspects. Thorp Mill board is interested in the idea. Curtis Bull is the president of the Early Iron Club. Moose and Roger will invite Curtis Bull to the June Mill Board meeting, after the auction.

**MEMO OF UNDERSTANDING
BETWEEN
CENTRAL WASHINGTON UNIVERSITY AND
THORP MILL TOWN HISTORICAL PRESERVATION SOCIETY**

THIS Memo of Understanding, dated September 1, 2016, is entered into by and between Central Washington University, hereinafter referred to as CWU, and the Thorp Mill Town Historical Preservation Society, hereinafter referred to as the TMTHPS. The parties agree to the following terms and conditions.

To simultaneously pursue the mutual educational and community service goals of both CWU and the Thorp Mill Historic Preservation Society. This agreement ties in directly with CWU's mission to prepare students for enlightened, responsible, and productive lives; to produce research, scholarship and creative expression in the public interest; and to serve as a resource to the region. It also supports the Core Value of Engagement in CWU's strategic plan, which states that learning, research, and creative expression are enhanced by engagement with external partners.

To promote and preserve the unique heritage of the Kittitas Valley, its legacy in terms of resources, agricultural development, and local history.

To promote and preserve the accessibility of the Thorp Mill and Ice Pond properties for the purposes of Washington State historical education, public enlightenment, recreation and tourism.

To promote and preserve the accessibility of the Thorp Mill and Ice Pond properties for the purposes of projects in academic research, non-profit-organization administrative experience, and on-the-job student internships.

NOW THEREFORE, for and in consideration of the mutual covenants and promises of the parties hereinafter set forth, it is agreed as follows:

1. **Both parties agree:**

- A. Continue to expand and develop the existing framework of mutually beneficial projects, educational and interpretive programs, grants, training and research that has characterized past cooperative arrangements between the faculty, staff, and students of CWU, and the Presidents and Board Members of TMTHPS.
- B. Work together to explore ways to collect information, artifacts, pictures, documents, and other items of material culture connected with the history of the Thorp Mill, Ice Pond, and Thorp community. They will find suitable ways to store, preserve, and make these available to future generations for research.
- C. The parties to this contract shall be responsible for the consequences of any act or failure to act on the part of itself, its employees, or its agents. Accordingly, each party shall be held responsible for its own sole negligence, and each party shall indemnify, defend and hold the other party, including